

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 15-cv-20782-MARTINEZ/GOODMAN

DENNIS MONTGOMERY,

Plaintiff,

v.

JAMES RISEN et al.,

Defendants.

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**DEFENDANTS' MOTION TO SEAL**

In accordance with Local Rule 5.4 and the Court's Order Scheduling Hearing on Defendants' Spoliation Sanctions Motion (With Specific, Additional Requirements) (the "Order"), ECF No. 191, Defendants request that the Court enter an order sealing the Proposed Sealed Document. In support of this request, Defendants state as follows:

1. On December 8, 2015, the Court entered the Order, which, among other things, scheduled oral argument on Defendants' motion for sanctions for Tuesday, January 5, 2016, at 2 p.m. (the "hearing") and permitted the parties "the opportunity to file under-seal five (5) specific questions which they would like [the Court] to ask opposing counsel at the hearing." Order 2.

The Order instructed the parties to file these optional questions "under seal on CM/ECF by Monday, December 28, 2015." *Id.*

2. The Proposed Sealed Document consists of five specific questions that Defendants would like the Court to ask opposing counsel at the hearing.

3. The proposed duration of the requested sealing of the Proposed Sealed Document is, at a minimum, through the conclusion of the hearing and, at a maximum, through the conclusion of this action.

4. A proposed order is attached.

WHEREFORE, Defendants request that the Court enter an order sealing the Proposed Sealed Document.

Dated: December 28, 2015

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I certify that on December 28, 2015, I filed this document with the Clerk of Court using CM/ECF, which will serve this document on all counsel of record.

s/Brian W. Toth